

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on February 9, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 463, 2/3/2005; HB 467, 2/3/2005;
HB 468, 2/3/2005; HB 527, 2/3/2005
Executive Action: HB 463, HB 481, HB 483, HB 532

HEARING ON HB 463

Opening Statement by Sponsor:

REP. TOM FACEY (D), HD 95, opened the hearing on **HB 463**, Increase and extend tax credit for post consumer glass use.

00:03:51

[EXHIBIT](#)(buh32a01)

Proponents' Testimony:

00:09:19 Art Compton, Department of Environmental Quality

00:10:38 Margaret Morgan, Wholesome Trident Plant

00:12:36 Gary Forrester, Montana Contractors Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:17

Closing by Sponsor:

00:22:06

HEARING ON HB 467

Opening Statement by Sponsor:

REP. LARRY JENT (D), HD 64, opened the hearing on **HB 467**, Revise attorney fees for medical benefits in work comp.

00:22:59

Proponents' Testimony:

00:29:32 Chris Ragar, Attorney for Worker's Compensation Cases

00:39:02 Jed Fitch, Montana Trial Lawyers Association

[EXHIBIT](#)(buh32a02)

00:40:39 Don Judge, Teamsters Local 190

00:44:43 Bob Olson, Montana Health Association

Opponents' Testimony:

00:46:50 Nancy Butler, Montana State Fund
00:49:43 Larry Jones, Liberty Northwest
00:50:33 George Wood, Montana Self Insurers Association
00:53:51 Jacqueline Lenmark, American Insurance Association
00:55:27 Barbara Ranf, Montana Chamber of Commerce
00:56:03 Bob Worthington, Montana Municipal Insurance
Association
00:56:41 Riley Johnson, Federation of Independent Business
00:57:04 Doug Nulle, Self
00:57:16 Gary Forrester, Montana Contractors Association
00:57:36 Larry Kibbee, Property and Casualty Insurers

Informational Testimony:

00:58:08 Jerry Keck, Department of Labor and Industry

Questions from Committee Members and Responses:

00:58:41

Closing by Sponsor:

01:10:41

HEARING ON HB 468

Opening Statement by Sponsor:

REP. LARRY JENT (D), HD 64, opened the hearing on **HB 468**, Allow common fund & other attorney fees against work comp insurer.

01:14:41

Proponents' Testimony:

01:19:46 Lon Dale, Attorney from Missoula
01:25:39 Chris Rager, Attorney from Bozeman
01:35:54 Jed Fitch, Montana Trial Lawyers Association

Opponents' Testimony:

01:37:12 Jerry Driscoll, AFL-CIO
01:41:30 Larry Jones, Liberty Mutual
01:48:25 Nancy Butler, Montana State Fund
01:51:03 George Wood, Montana Self Insurers Association
01:51:29 Jacqueline Lenmark, American Insurance Association
01:53:26 Barbara Ranf, Montana Chamber of Commerce
01:53:55 Riley Johnson, National Federation of Independent
Business
01:54:17 Bob Worthington, Montana Municipal Insurance
Association
01:54:58 Jason Todhunter, Montana Logging Association
01:55:18 Gary Forrester, Montana Contractors Association
01:55:35 Larry Kibbee, Property Casualty Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:56:08

Closing by Sponsor:

02:14:21

HEARING ON HB 527

Opening Statement by Sponsor:

REP. SCOTT MENDENHALL (R), HD 77, opened the hearing on **HB 527,** Restrict Department of Labor and Industry safety training program.

02:35:16

Proponents' Testimony:

02:38:37 Ron Dorvall, Safety Trainer from Whitehall
02:49:22 Doug Harper, Bear Tooth Safety Training, Billings
02:54:22 Cary Hegreberg, Montana Contractors Association
02:57:32 Riley Johnson, National Federation of Independent
Business
02:59:22 Barbara Ranf, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony:

03:00:03 Jerry Keck, Department of Labor and Industry

Questions from Committee Members and Responses:

03:08:35

Closing by Sponsor:

03:20:00

EXECUTIVE ACTION ON HB 463

Motion: **REP. VILLA** moved that **HB 463 DO PASS.**

Discussion:

03:23:00

Vote: Motion carried unanimously by voice vote. **REP WINDY BOY** voted by proxy.

EXECUTIVE ACTION ON HB 481

Motion: REP. JOPEK moved that HB 481 DO PASS.

Motion: REP. JOPEK moved that HB 481 BE AMENDED.

Discussion:

[EXHIBIT](#) (buh32a03)

03:25:00

Vote: Motion carried 17-1 by voice vote. REP WINDY BOY voted by proxy.

Motion/Vote: REP. JOPEK moved that HB 481 DO PASS AS AMENDED.
Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 483

Motion: REP. BERGREN moved that HB 483 DO PASS.

Discussion:

[EXHIBIT](#) (buh32a04)

03:27:00

Motion: REP. BERGREN moved that HB 483 BE AMENDED.

Discussion:

03:28:00

Vote: Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

Motion: REP. BERGREN moved that HB 483 DO PASS AS AMENDED.

Discussion:

03:30:00

Vote: Motion carried 17-1 by roll call vote with REP. MILBURN voting no. REP WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 532

Motion: REP. GALLIK moved that HB 532 DO PASS.

Motion: REP. GALLIK moved that HB 532 BE AMENDED.

Discussion:

03:42:00

Vote: Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

Motion: REP. GALLIK moved that HB 532 DO PASS AS AMENDED.

Discussion:

03:49:00

Vote: Motion failed 9-9 by roll call vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, JOPEK, KEANE, VILLA, and WINDY BOY voting aye. REP WINDY BOY voted by proxy.

ADJOURNMENT

Adjournment: 11:50 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh32aad0.TIF](#))